

Exhibit D

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

vs.

Case No.

UBER TECHNOLOGIES, INC.; 17-cv-00939-WHA

OTTOMOTTO, LLC; OTTO

TRUCKING LLC,

Defendants.

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF JOE SPIEGLER

San Francisco, California

Friday, December 22, 2017

Volume I

REPORTED BY:

REBECCA L. ROMANO, RPR, CSR No. 12546

JOB NO. 2771356

PAGES 1 - 307

Page 1

1 conversation with Kalanick, so I just want to be 10:51:55
2 sure what -- where we are.

3 MR. EISEMAN: Right. Let me try to ask a
4 different question then.

5 Q. (By Mr. Eiseman) Prior to June 22nd, did 10:52:03
6 you have any discussions with anybody who was the
7 subject of Mr. Jacobs' allegations in his
8 resignation email or his lawyer's later letter?

9 A. Yes.

10 Q. Who did you speak with? 10:52:16

11 A. I spoke with Joe Sullivan.

12 Q. Anybody else?

13 A. I don't recall other individuals. I
14 believe Mat Henley, I believe Jeff Jones, in the
15 context of a meeting with the security leadership 10:52:36
16 team to give them -- at the direction of my boss,
17 Salle Yoo -- an update and report to the extent
18 I -- not report, a -- a status on the -- the
19 process in consultation with lawyers from
20 WilmerHale. This was at Joe Sullivan's request and 10:53:02
21 at Salle's direction.

22 I also recall a videoconference, I -- I
23 believe perhaps all the parties were in person, but
24 with -- with Salle, with Joe, perhaps Angela,
25 perhaps Sidney, which preceded the meeting that I 10:53:26

Page 136

1 just described. It's possible our outside counsel 10:53:31
2 was on that call as well, from WilmerHale, so
3 that's...

4 Q. Other than the one meeting that you had
5 with Mr. Sullivan, Mr. Henley, Mr. Jones, and 10:53:43
6 perhaps others from the security group, did you
7 have any other discussions with members of the
8 security group regarding Mr. Jacobs' allegations?

9 A. I don't believe so.

10 Q. Did -- in that meeting, did you ask any 10:54:01
11 members of the security group to provide you with
12 documents relating to Mr. Jacobs' allegations?

13 A. No.

14 Q. And by the time you had that meeting to
15 talk about process, you had retained WilmerHale. 10:54:14

16 A. Yes.

17 Q. But you don't think the WilmerHale
18 lawyers were at the meeting?

19 A. So at the meeting that I described
20 with -- with Joe Sullivan, with Mat Henley, with 10:54:24
21 Jeff Jones -- and there were probably three or four
22 other people, I just can't recall their names,
23 maybe Rod -- Ross Worden was on the calls -- or on
24 the -- it was -- excuse me -- some people were in
25 person and others were by Zoom. 10:54:37

Page 137

1 instruct you not to answer. 11:01:36

2 THE DEPONENT: Okay. Okay. Okay.

3 Q. (By Mr. Eiseman) I don't want you to
4 tell me anything that might have been discussed,
5 but did you, yes or no, discuss the substance of 11:01:51
6 Mr. Jacobs claims at that meeting?

7 A. No.

8 Q. Did you ever discuss the substance of
9 Mr. Jacobs claims with anybody from the security
10 group? 11:02:03

11 A. No.

12 Q. You left that to WilmerHale?

13 MR. JACOBS: Objection. Form.

14 THE DEPONENT: I -- when you mean
15 "discuss," do you mean interview them, or do you 11:02:16
16 mean update them?

17 Q. (By Mr. Eiseman) No, I --

18 A. Let -- let me just try and clarify.

19 I -- I don't know what Wilmer's
20 conversations with the security team were, 11:02:27
21 period --

22 Q. Right.

23 A. -- I don't believe that WilmerHale would
24 discuss the allegations with the implicated
25 parties, if that's what you were suggesting with 11:02:35

1 I, Rebecca L. Romano, a Certified Shorthand
2 Reporter of the State of California, do hereby
3 certify:

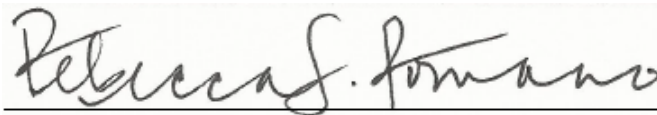
4 That the foregoing proceedings were taken
5 before me at the time and place herein set forth;
6 that any witnesses in the foregoing proceedings,
7 prior to testifying, were administered an oath;
8 that a record of the proceedings was made by me
9 using machine shorthand which was thereafter
10 transcribed under my direction; that the foregoing
11 transcript is true record of the testimony given.

12 Further, that if the foregoing pertains to the
13 original transcript of a deposition in a Federal
14 Case, before completion of the proceedings, review
15 of the transcript [X] was [] was not requested.

16 I further certify I am neither financially
17 interested in the action nor a relative or employee
18 of any attorney or any party to this action.

19 IN WITNESS WHEREOF, I have this date
20 subscribed my name.

21 Dated: December 26, 2017

22
23 

24 Rebecca L. Romano, RPR,
25 CSR. No 12546